

091 593 417

CofC
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the patent of:

Raymond ANDERSEN et al

ATTN: Certificates of Corrections

Patent Number: 6,870,028 B1

Issued: March 22, 2005

For: BIOLOGICALLY ACTIVE PEPTIDES AND COMPOSITIONS,
THEIR USES

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

October 12, 2005

Sir:

The undersigned respectfully requests that a Certificate of Correction be issued for the above-identified patent as indicated on the attached Form PTO-1050.

REMARKS

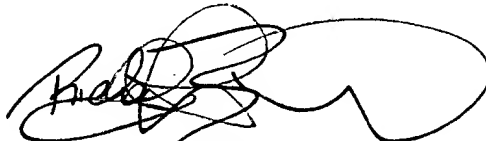
This request is being made in order to correct a typographical error in the seventh inventor's name. The seventh inventor's name should read -- Michel Roberge --. In support of this request, enclosed is a copy of the originally filed Declaration and Power of Attorney.

Certificate
OCT 14 2005
of Correction

OCT 17 2005

Since the error in the patent appears to be a Patent and Trademark Office printing error, it is respectfully submitted that no fee is required. However, in the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard J. Berman', is written over a large, loopy, and somewhat illegible scribble.

Richard J. Berman
Reg. No. 39,107

Atty. Docket No.: 108281-00001

Customer No.: 004372
Arent Fox PLLC
1050 Connecticut Avenue, N.W.
Suite 400
Washington, D. C. 20036-5339
Tel (202) 857-6000
Fax (202) 638-4810

RJB:mmg

Enclosures: Form PTO-1050 (2); Declaration and Power of Attorney (copy)

OCT 17 2005

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.: 6,870,028 B1

DATED: March 22, 2005

INVENTOR(S): Raymond ANDERSEN et al

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page:

Item (75) Inventors, please change the seventh inventor's name from
"Michael Roberge" to -- Michel Roberge --.

MAILING ADDRESS OF SENDER:

Customer No. 004372
ARENT FOX PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339

Patent No. 6,870,028 B1

No. of add'l. copies
@ 30¢ per page

Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that

my residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled (insert Title) **BIOLOGICALLY ACTIVE PEPTIDES AND COMPOSITIONS, THEIR USE**
the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on April 22, 1996 as United States Application Number or PCT International Application Number PCT/GB96/0042 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56. I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §385(b) of any foreign application(s) for patent or inventor's certificate, or §385(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

List prior foreign applications. Put name A on back of this page	<u>9608195.6</u>	<u>GB</u>	<u>20/4/96</u>	Priority Claimed
	(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u> </u>	<u> </u>
(Application Number)	(Filing Date)
<u> </u>	<u> </u>
(Application Number)	(Filing Date)

(See Note B on back of this page)

☐ See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §385(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

List prior U.S. Applications or PCT International applications designating the U.S.	<u> </u>	<u> </u>	<u> </u>
	(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
	<u> </u>	<u> </u>	<u> </u>
	(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys David T. Nikado, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; Martin S. Postman, Reg. No. 19,570; E. Marcic Erma, Reg. No. 32,131; Douglas H. Goldfrust, Reg. No. 33,125; Kevin C. Brown, Reg. No. 32,402; Monica Chir Kiba, Reg. No. 36,105; and Richard J. Serman, Reg. No. 38,107.

Please direct all communications to the following address:

NIKADO, MARMELESTEIN, MURRAY & ORAM LLP
Metropolitan Square
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby
Washington, D.C. 20005-6701
(202) 638-5000 Fax: (202) 638-4010

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C on back of this page)

Full name of sole or first inventor: Raymond ANDERSEN

Inventor's signature Raymond Andersen

Residence: the University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4

Citizenship: Canada

Post Office Address: Same as above

(Press original)

Full name of second joint inventor, if any: John COLEMAN

Inventor's signature

John Coleman

Nov 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry & Oceanography, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of third joint inventor, if any: Dêp DE SILVA

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fourth joint inventor, if any: Fangming KONG

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fifth joint inventor, if any: Edward PIERS

Inventor's signature

Edward Piers

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of sixth joint inventor, if any: Debra WALLACE

Inventor's signature

Debra Wallace

Nov 21, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of seventh joint inventor, if any: Michel ROBERGE

Inventor's signature

Michel Robyge

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Biochemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of eighth joint inventor, if any: Yvonne ALLEN

Inventor's signature

Residence: 11223 72nd Avenue, Edmonton, Alberta T6G 6B4, Canada

Citizenship: Canada

Post Office Address: Same as above

Date

Full name of second joint inventor, if any: John COLEMAN

Inventor's signature

J.E. Coleman

Nov 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry & Oceanography, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of third joint inventor, if any: Dilip DE SILVA

Inventor's signature

Dilip de Silva

Nov. 25, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fourth joint inventor, if any: Fangming KONG

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fifth joint inventor, if any: Edward PIERS

Inventor's signature

Edward Piers

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of sixth joint inventor, if any: Debra WALLACE

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of seventh joint inventor, if any: Michel ROBERGE

Inventor's signature

Michel Robyge

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Biochemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of eighth joint inventor, if any: Teresa ALLEN

Inventor's signature

Residence: 11223 72nd Avenue, Edmonton, Alberta T6G 0B4, Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of second joint inventor, if any: John COLEMAN

Inventor's signature

J Coleman

Nov 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry & Oceanography, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of third joint inventor, if any: Dily DE SILVA

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fourth joint inventor, if any: Fungying KONG

Inventor's signature

Fungying Kong

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fifth joint inventor, if any: Edward PIERS

Inventor's signature

Edward Piers

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of sixth joint inventor, if any: Debra WALLACE

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of seventh joint inventor, if any: Michel ROBERGE

Inventor's signature

Michel Roberge

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Biochemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of eighth joint inventor, if any: Teresa ALLEN

Inventor's signature

Residence: 11223 72nd Avenue, Edmonton, Alberta T6G 0B4, Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of second joint inventor, if any: John COLEMAN

Inventor's signature

John Coleman

Nov 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry & Oceanography, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of third joint inventor, if any: Diip DE SILVA

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fourth joint inventor, if any: Fangming KONG

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of fifth joint inventor, if any: Edward PIERIS

Inventor's signature

Edward Piers

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of sixth joint inventor, if any: Debra WALLACE

Inventor's signature

Residence: c/o University of British Columbia, Dept. of Chemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of seventh joint inventor, if any: Michel ROBERGE

Inventor's signature

Michel Roby

Nov. 19, 1997

Date

Residence: c/o University of British Columbia, Dept. of Biochemistry, Vancouver, British Columbia V6T 1Z4 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of eighth joint inventor, if any: Teresa ALLEN

Inventor's signature

T. Allen

Nov 21/97

Date

Residence: 11223 72nd Avenue, Edmonton, Alberta T6C 0B4, Canada

Citizenship: Canada

Post Office Address: Same as above



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

6/17/05

Patent No. : 6,870,028 B1
Ser. No. : 09/593,417
Inventor(s) : Andersen et al.
Issued : March 22, 2005
Title : **BIOLOGICALLY ACTIVE PEPTIDES AND
COMPOSITIONS, THEIR USE**
Docket No. : 108281-00001

Re: Request for Certificate of Correction:

Consideration has been given your request for Certificate of Correction for the above-identified patent under the provisions of Rule(s) 1.322 and/or 1.323.

Assignees' names and addresses (assignment data) printed in a patent, are based *solely* on information supplied in the appropriate space for identifying the assignment data, i.e., item 3 of the Issue Fee Transmittal Form PTOL-85B. Granting of a request under 37 CFR 3.81(b) is required to correct applicant's error providing incorrect or erroneous assignment data, *before* issuance of a Certificate of Correction, under 37 CFR 1.323 (*see Manual of Patent Examining Procedures (M.P.E.P) Chp.1400, sect. 1481*). This procedure is required *at any time after the issue fee is paid*, including after issuance of the patent.

In view of the foregoing, your request, in this matter, is hereby denied.

A request to correct the Assignee under 37 CFR 3.81(b) should include:

- A. the processing fee set forth in 37 CFR 1.117(h) (currently \$130);
- B. a statement that the failure to include the correct assignee name on the PTOL-85B was inadvertent; and
- C. a copy of the Notice of Recordation of Assignment Document, reflecting the reel and frame number where the assignment(s) is recorded and/or reflecting proof of *the date* the assignment was submitted for recordation.

In the Request, Applicant(s) may request that the file be forwarded to Certificates of Correction Branch, for issuance of a Certificate of Correction, if the Request is granted.

Any request under 37 CFR 3.81(b) should be directed to the following address or facsimile number:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (703) 872-9306
 ATTN: Office of Petitions

If a fee (currently \$100) was previously submitted for consideration of a Request for Certificate of Correction, under CFR 1.323, to correct assignment data, no additional fee is required.

Ernest C. White, *LIE*
For Cecelia Newman
Decisions & Certificates
of Correction Branch
(703) 308-9390 ext.122 or (703) 308-9390

Arent Fox Kintner Plotkin & Kahn PLLC
1050 Connecticut Avenue N W Suite 600
Washington DC 20036-5339

ecw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten signature/initials

re the application of:

Andersen *et al.*

Attorney Docket No.: 108281-00001

U.S. Patent No.: 6,870,028

Application Serial No.: 09/593, 417

Issued: March 22, 2005

Filed: June 14, 2000

For: Biologically Active Peptides and Compositions, Their Use

May 11, 2005

CERTIFICATE OF CORRECTION UNDER 35 U.S.C. §255 AND 37 C.F.R. §1.323

Attention: CERTIFICATE OF CORRECTION BRANCH
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
MAY 18 2005
of Correction

Sir:

Pursuant to 35 U.S.C. §255 and 37 C.F.R. §1.323, the applicants respectfully request the U.S. Patent and Trademark Office to issue a Certificate of Correction for the above-identified patent.

The correct assignee is only The University of British Columbia, Vancouver (CA). The University of Alberta assigned its interest to The University of British Columbia as evidenced by the assignment recorded on Reel: 014607, Frame: 0821. This assignment was filed on March 11, 2003 in the parent application (U.S. Pat. Appl. No. 08/930,584, now U.S. Pat. No. 6,153,590) and was recorded on October 20, 2003, *i.e.*, before the present patent issued. The assignment covers any continuation, divisional, or reissue applications; the present patent (U.S. Pat. No. 6,870,028) issued on March 22, 2005 from an application (U.S. Pat. Appl. No. 09/593, 417) that is a divisional of U.S. Pat. No. 6,153,590.

RPP/118044.1

1

MAY 24 2005

05/12/2005 09:11:55 00000059 6870028 100.00 01 FC:1811

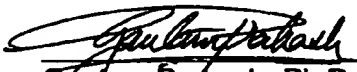
U.S. Patent No.: 6,670,028
Inventor(s): Andersen et al.
Attorney Docket No.: 108281-00001

The applicants submit that the errors noted in the attached Certificate of Correction are clerical or typographical in nature, minor in character, and were not made with any deceptive intent. Furthermore, the errors noted are not the fault of the U.S. Patent and Trademark Office. Accordingly, the applicants enclose a check in the amount of \$100.00 pursuant to 37 C.F.R. §1.20(a).

The Commissioner is hereby authorized to charge any additional fees that are required or credit any over-payments to Deposit Account No. 01-2300, referencing Attorney Docket No. 108281-00001.

Respectfully submitted,

ARENT FOX PLLC



Gautam Prakash, Ph.D.

Registration No.: 53,481

Direct Telephone No.: 202-857-6057

Customer No.: 004372

1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339

Telephone No.: 202-857-6000
Facsimile No.: 202-857-6395

/GP

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO.: 6,870,028 B1

DATED: March 22, 2005

INVENTOR(S): Andersen *et al.*

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

(73) Assignees:

Please delete "The University of Alberta, Edmonton (CA)"

MAILING ADDRESS OF SENDER:

Customer No. 004372
ARENT FOX PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339

Patent No. 6,870,028 B1

FORM PTO 1050 (REV. 3-82)

MAY 24 2005

RPP/118045.1



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Arent Fox Kintner Plotkin & Kahn PLLC
1050 Connecticut Avenue N W Suite 600
Washington DC 20036-5339

COPY MAILED

SEP 09 2005

OFFICE OF PETITIONS

In re Application of :
Andersen et al :
Application Number: 09/593,417 :
Patent: 6,870,028 :
Attorney Docket Number: 108281- :
00001 :
Filing Date: June 14, 2000 :
Issue Date: March 22, 2005 :

DECISION ON PETITION

This is a decision on the petition to correct the name of the assignee under 37 CFR 1.183 filed on August 11, 2005. The petition is properly treated under 37 CFR 3.81 (b)¹ to correct the name of the assignee on the front page of the above-identified patent by way of a Certificate of Correction.

The petition is **Granted**.

This application is being forwarded to the Certificate of Correction Branch for issuance of the requested Certificate of Correction.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215. Any questions concerning the issuance of the Certificate of Correction should be directed to the Certificate of Correction Branch at (703) 305-8309.

Charlema R. Grant
Petitions Attorney
Office of Petitions

¹See 69 Fed. Reg. 29865 (May 26, 2004).